

JC14 Rec'd PCT/PTO 31 MAY 2002

PCT
SC10
SC10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

John Granville Kay et al.

Serial No. 09/807,167

Filed April 9, 2001

FLOOR COVERING MATERIAL AND
METHOD FOR PRODUCING SAME

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on May 15, 2002.

Charles J. Meyer

Name of Registered Representative

A handwritten signature of Charles J. Meyer in cursive script.

Signature

May 15, 2002

Date of Signature

DECLARATION TO ESTABLISH UNAVAILABILITY OF INVENTOR
UNDER 37 C.F.R. §1.47(a)

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

I, Charles J. Meyer, patent attorney for applicant declare as follows:

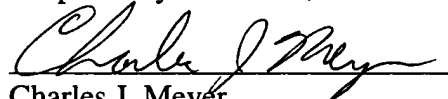
1. I am the patent attorney with Woodard, Emhardt, Naughton, Moriarty & McNett and that I am authorized to make this declaration on behalf of Polyflor Limited.
2. This declaration is made to support the unavailability of Grenville Seager, a former employee with Polyflor Limited.
3. As submitted in the declaration of John Granville Kay, Mr. Seager's current address and telephone number are unknown. Subsequent attempts to locate a forwarding address and telephone number have not resulted in contacting Mr. Seager. To clarify the statement of Mr. Kay, the following facts are additionally submitted:

BEST AVAILABLE COPY

A handwritten signature, possibly "Zm", in the bottom right corner of the page.

- A. Employees of Polyflor Limited have attempted to reach Mr. Seager at his last known address and telephone number, but such attempts have been unsuccessful.
- B. Employees for Polyflor Limited have researched the Great Britain area telephone directory for the Manchester area and have been unable to locate an address, telephone number, or forwarding information for Mr. Seager.
- C. Employees for Polyflor Limited have also attempted to contact the parents of Mr. Seager in the Manchester area, but the parents' address and telephone number appear to be unlisted, and efforts to locate the information have been unavailing.
- D. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that willful false statements may jeopardize the validity of the application or any resulting registration, declares that the facts set forth in this application are true; all statements made of their own knowledge are true; and all statements made on information and belief are believed to be true.

Respectfully submitted,



Charles J. Meyer

Reg. No. 41,996

Woodard, Emhardt, Naughton

Moriarty & McNett

Bank One Center Tower

111 Monument Circle, Suite 3700

Indianapolis, Indiana 46204-5137

(317) 634-3456